

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY

### No. 2

#### GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

#### Notification

7-5-99/LA

The Goa Panchayat Raj (Second Amendment) Act, 1999 (Goa Act 8 of 1999), which has been passed by the Legislative Assembly of Goa on 3-8-1999 and assented to by the Governor of Goa on 20-9-1999, is hereby published for general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 24th September, 1999.

#### The Goa Panchayat Raj (Second Amendment) Act, 1999

(Goa Act No. 8 of 1999) [20-9-1999]

AN

ACT

*further to amend the Goa Panchayat Raj Act, 1994.*

Be it enacted by the Legislative Assembly of the State of Goa in the Fiftieth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Panchayat Raj (Second Amendment) Act, 1999.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994) (hereinafter referred to as the "principal Act"),—

(i) after clause (12), the following clause shall be inserted, namely:—

"(12 A) "Member-Secretary" means a person appointed by the Government as Member-Secretary and includes a Block Development Officer;"

(ii) after clause (20), the following clause shall be inserted, namely:—

"(20 A) "Taluka Panchayat" means a Taluka Panchayat established under this Act;"

3. *Amendment of sections 5 and 6.*— For sections 5 and 6 of the principal Act, the following shall be respectively substituted, namely:—

"5. *Meeting of Gram Sabha.*— (1) There shall be four ordinary meetings of the Gram Sabha to be held on any Sunday of January, April, July and October of every year, to be convened by the Sarpanch.

(2) There shall also be special meetings of the Gram Sabha to be convened by the Sarpanch on 26th January, 15th August, 2nd October and 19th December, every year.

(3) The meetings of the Gram Sabha shall be presided over by each Sarpanch and attended by the concerned Panchayat member. In the absence of the Sarpanch, Deputy Sarpanch or ward member, the meeting may be presided over by any member chosen by the Gram Sabha.

(4) In the event, the Sarpanch fails to convene the meeting of the Gram Sabha, as specified in sub-sections (1) and (2), the meeting shall be convened by the Block Development Officer in the following month.

(5) The Sarpanch shall, upon a requisition in writing by not less than one tenth of number of members call an extraordinary

meeting of the Gram Sabha, within thirty days from the receipt of such requisition.

(6) One-tenth of the total number of members of the Gram Sabha shall form the quorum for the meeting.

(7) When there is no quorum for any meeting after fifteen minutes from the appointed time, the meeting shall stand adjourned for half an hour and when it re-assembles, no quorum shall be necessary to transact the business communicated to members in the agenda of the appointed meeting.

(8) An Officer nominated by the Block Development Officer shall attend the Gram Sabha meetings.

6. *Functions of Gram Sabha.*— (1) The Sarpanch shall place before the Gram Sabha for its approval the following matters:—

- (a) the annual statement of accounts;
- (b) annual administration report;
- (c) budget estimates;
- (d) the development and other programmes of the work proposed for the current financial year;
- (e) the last audit report and the replies made thereto;
- (f) proposal for fresh taxation or enhanced taxation;
- (g) proposal for organising community service, voluntary labour or mobilisation of the local people for any specific work included in any programme;
- (h) identification of the beneficiaries under various programmes of the Government;
- (i) determination of the priorities of the work to be undertaken by the Panchayat;
- (j) utilisation certificate in respect of the developmental works undertaken by the Panchayat from the grants-in aid or Panchayat funds.

(2) The Gram Sabha shall constitute minimum two Supervisory Committees to supervise the Panchayat work and other activities. The Supervisory Committees shall submit its report to the Panchayat and also place a copy of their report in the meeting of the Gram Sabha for an appropriate decision.

(3) The Government shall constitute Vigilance Committees to oversee the quality of works, Schemes and other activities for each Gram Panchayat. The terms and conditions of appointment of the members of the Vigilance Committees shall be such as may be prescribed.

(4) The decision taken by the Gram Sabha shall be binding on the Panchayat provided it is not contrary to the rules and regulations framed under this Act or any other law for the time being in force and it shall be the duty of the Sarpanch to execute the same as early as possible.

(5) Any person aggrieved by the decision of the Gram Sabha, may prefer an appeal to the Director within a period of thirty days from the date of such decision and the Director's decision on such appeal shall be final.

(6) The Director, after giving notice to the Panchayat and the public notice to be displayed on the notice board of the Panchayat and the Office of the Block Development Officer, may pass such order as he may deem fit and proper.

(7) Any member of the Gram Sabha shall have the right to obtain information relating to any developmental works undertaken by the Panchayat as well as certified copies of the proceedings of the meeting of the Panchayat and Gram Sabha.

(8) The Gram Sabha shall constitute two or more ward development committees. The powers, functions and the manner of constitution of such committees shall be such as may be prescribed.

(9) A Gram Sabha shall carry out such other functions as the Government may, by general or special order, require."

4. *Insertion of new Chapters.*— After chapter IV of the principal Act, the following chapters shall be inserted, namely:—

#### "CHAPTER IV A

##### Constitution of Taluka Panchayats

115A. *Establishment of Taluka Panchayat and its incorporation.*— (1) For each Taluka, there shall be a Taluka Panchayat having jurisdiction over the entire Taluka excluding such portions of the Taluka as are included in a Municipal Council constituted under the Goa Municipalities Act, 1968 (Act No. 7 of 1969).

(2) Every Taluka Panchayat shall be a body corporate by the name specified by the Government in this behalf, and shall have perpetual succession and a common seal and may by the said name sue or be sued through its corporate name subject to such restrictions as are imposed by or under this or any other enactment, and shall have power to acquire, hold and dispose of any property, moveable or immoveable, whether without or within limits of the area over which it has jurisdiction and to enter into contracts and of doing all things necessary, proper and expedient for the purpose for which it is constituted.

115 B. *Composition of Taluka Panchayats.*— (1) Save as otherwise provided by this Act, every Taluka Panchayat shall consist of,—

(i) one member each elected by the voters from every Village Panchayat;

(ii) members of the House of the People and the members of the Council of States who are registered as electors within the Taluka;

(iii) the members of the State Legislative Assembly who are registered as electors within the Taluka;

(iv) Sarpanch of Panchayats in each Taluka elected from amongst themselves in the ratio of one Sarpanch for a Taluka having upto 15 Panchayats and two Sarpanchas for a Taluka having more than 15 Panchayats, so long as he continues to be the Sarpanch of the Panchayat;

(v) the Block Development Officer of the respective Block/Taluka shall be the Member-Secretary of the Taluka Panchayat.

Provided that no such member shall be a Minister or the Speaker or the Deputy Speaker of the Legislative Assembly or the Leader of Opposition or Adhyaksha or Upadhyaksha of Zilla Panchayat or a member of Zilla Panchayat.

(2) If any member of the Taluka Panchayat is elected as a member of the Village Panchayat or Zilla Panchayat, he shall exercise option to retain the membership of the Village Panchayat or the Taluka Panchayat or the Zilla Panchayat within 10 days of his election failing which he shall cease to be a member of the Taluka Panchayat.

(3) Members falling in the category in clauses (ii), (iii), (iv) and (v) of sub-section (1) shall have no right to be elected as Chairperson or Vice-Chairperson, as the case may be.

115 C. *Reservation of seats.*— The reservation of seats as applicable for an election to the Panchayat under the provisions of sub-sections (4), (5) and (6) of section 7 shall, mutatis mutandis, apply to the election of members referred to in clause (i) of sub-section (1) of section 115-B.

115 D. *Territorial Constituencies of Taluka Panchayats.*— The Panchayat as notified by the Government under section 7 of the Act, shall be a single territorial Constituency for the purpose of election to Taluka Panchayat.

115 E. *List of voters.*— The wardwise list of voters prepared under section 13 of the Act, shall form the voters list of the respective Panchayat territorial Constituencies.

115 F. *Right to Vote.*— (1) Every person whose name is in the list of voters relating to a ward of Panchayat shall, subject to the other provisions of the Act, be entitled to vote at any election which takes place in that Panchayat territorial Constituency.

(2) No person shall vote at any election under this Act in more than one Panchayat territorial Constituency or more than once in the same Panchayat territorial Constituency.

115 G. *Qualification of a Candidate.*— (1) A person shall not be qualified to be chosen to fill a seat in a Taluka Panchayat unless his name is included in the voters list of the Village Panchayat territorial Constituency for the time being in force.

(2) A person shall not be qualified to be chosen from a territorial Constituency to fill a seat in a Taluka Panchayat in the case of a seat reserved for women or backward classes, unless such person is a member of these classes or is a woman.

115 H. *Disqualification for members.*— The provisions of section 10 of the Act shall, mutatis mutandis, apply to the members of the Taluka Panchayat subject, however, that the expression 'Panchayat' wherever it appears in that section, shall be construed as a reference to "Taluka Panchayat".

115 I. *Vacation of seats by members.*— The provisions of sub-section (1) of section 12 shall, mutatis mutandis, apply to the

members of the Taluka Panchayat, subject, however, that the expression 'Panchayat', wherever it appears in that section, shall be construed as a reference to 'Taluka Panchayat'.

115 J. *Decision on question as to disqualification and on vacation of seats by members.*— If any question arises as to whether a member of a Taluka Panchayat has become subject to any disqualification referred to in section 115 H or in section 115 I, it shall be decided by the State Election Commissioner whose decision thereon shall be final.

115 K. *Application of certain sections relating to elections.*— (1) The provisions of sections 15 to 41, 125 and 126 shall apply, mutatis mutandis, in respect of election to the Taluka Panchayats, subject, however, that the expressions 'Panchayat' or 'Zilla Panchayat', wherever they appear, shall be construed as a reference to "Taluka Panchayat".

(2) The deposit as security for costs as provided under section 16, so far as Taluka Panchayat is concerned, shall be Rs. 1000/-.

115 L. *Publication of names of members, term of office, resignation of members and casual vacancies.*— The provisions of sections 128, 129, 130 and 132 shall, mutatis mutandis, apply in respect of all members of Taluka Panchayats, subject, however, that the expressions "Zilla Panchayat" and "Adhyaksha", wherever they appear in those sections, shall be construed as "Taluka Panchayat" and "Chairperson" respectively.

115 M. *Application of certain sections relating to election of Chairperson or Vice-Chairperson and other matters.*— The provisions of sections 133, 135, 136, 137, 138 and 139 shall apply, mutatis mutandis, in respect of election of Chairperson or Vice-Chairperson and other matters of Taluka panchayats, subject, however, that the expressions "Zilla Panchayat", "Chief Executive Officer", and "Adhyaksha" or "Upadhyaksha", wherever they appear in these sections, shall be construed as "Taluka Panchayat", "Block Development Officer", "Chairperson" and "Vice-Chairperson" respectively.

115 N. *Removal of Chairperson, Vice-Chairperson or member for misconduct.*— (1) The Chairperson, Vice-Chairperson or member of a Taluka Panchayat shall, after an opportunity is afforded for hearing, be removable by an order passed by the State Election Commissioner, on the ground of remiss in the discharge of duties or for any disgraceful conduct or if he has become incapable or misuses or abuses the power or exercises the powers which are not expressly vested in him by or under the Act, Rules or bye-laws framed thereunder.

(2) The Chairperson or Vice Chairperson or member so removed under sub-section (1) shall not be eligible for re-election for a period not exceeding 5 years, as the State Election Commissioner may specify in his order. The Chairperson or Vice-Chairperson removed from office may also be removed from the membership by the State Election Commissioner for such period as may be specified in his order.

115 O. *Liability and accountability of members.*— Any member who has held the Office of Chairperson or Vice-Chairperson or as a Member of Taluka Panchayat at any time and has

committed any acts and misdeeds or any disgraceful conduct or has caused monetary loss to the Taluka Panchayat or to the Government or committed breach of trust as a Chairperson or Vice-Chairperson or a member of Taluka Panchayat, as the case may be, shall, on removal from such office by the State Election Commissioner from the membership of the Taluka Panchayat, be personally liable for the loss, waste or misapplication of any money or other property of the Taluka Panchayat to which he has been a party and the State Election Commissioner, after giving the Chairperson or Vice-Chairperson or member concerned a reasonable opportunity for show cause to the contrary shall, by order in writing, direct to such person to pay to the Government or to the Taluka Panchayat, as the case may be, before a fixed date such amount as deems fit.

115 P. *Salaries and allowances to the Chairperson, Vice-Chairperson and other members.*— (1) The salary and allowances of the Chairperson and the Vice-Chairperson shall be payable from the Taluka Panchayat funds.

(2) Every member of a Taluka Panchayat, other than the Chairperson or the Vice-Chairperson, shall be entitled to receive from the funds of the Taluka Panchayat such sitting fees and allowances as may be prescribed.

#### CHAPTER IV B

##### Functions, Duties and Powers of Taluka Panchayat, Chairperson and Vice-Chairperson.

115 Q. *Functions of the Taluka Panchayat.*— (1) Subject to such conditions as may be specified by the Government from time to time, the Taluka Panchayat shall perform the functions specified in Schedule IA.

115 R. *Assignment of functions.*— (1) The Government may assign to a Taluka Panchayat functions in relation to any matters to which the executive authority of the Government extends.

(2) The Government may, by notification, withdraw or modify the functions assigned under this section.

(3) The Zilla Panchayat may, by order, assign to Taluka Panchayat any functions relating to any matters to which the executive authority of the Zilla Panchayat extends.

115 S. *Standing Committees.*— (1) The Taluka Panchayat shall have the following Committees (hereinafter called the 'Standing Committees'), namely:-

- (a) General Standing Committee;
- (b) Finance, Audit and Planning Committee;
- (c) Social Justice Committee;
- (d) Education and Health Committee;
- (e) Agriculture and Industries Committee;
- (f) Taluka Development Committee.

(2) Each Standing Committee shall consist of such number of members not exceeding five, elected by the members of the Taluka Panchayat from amongst themselves.

(3) The Chairperson shall be the Ex-Officio Member and Chairman of the General Standing Committee and the Finance, Audit and Planning Committee. The Vice-Chairperson shall be the Ex-Officio Member and Chairman of the Social Justice Committee. The other Standing Committees shall elect the Chairman from amongst their members.

(4) No member of the Taluka Panchayat shall be eligible to serve on more than two Standing Committees.

(5) The Block Development Officer shall be the Ex-Officio Secretary of all the Standing Committees.

(6) The Standing Committees shall perform such functions as may be specified in the regulations made by the Taluka Panchayat.

115 T. *Delegation of powers.*— The Taluka Panchayat may by notification, delegate to the Block Development Officer or other Officer, any of the powers conferred by or under this Act on the Taluka Panchayat.

115 U. *General powers of Taluka Panchayat.*— (1) The Taluka Panchayat shall have powers to do all acts necessary for or incidental to, the carrying out of the functions entrusted or delegated to it and, in particular, and without prejudice to the foregoing powers, to exercise all powers specified under this Act.

(2) Subject to the general or special orders of the Government or Zilla Panchayat, a Taluka Panchayat may,—  
(a) provide for carrying out any work or measure likely to promote the health, safety, education, comfort, convenience or social or economic or cultural well-being of the inhabitants of the district;

(b) contribute to associations of all India, State or Inter-State level, concerned with the promotion of local Government and to exhibitions, seminars and conferences within the district related to the activities of the Panchayat and Taluka Panchayat;

(c) ensure that the grant-in-aid released to the Panchayats are properly utilised and utilisation certificates sent to the sanctioning authority for the purpose for which it is sanctioned;

(d) supervise any works undertaken by any Panchayat and make recommendations, if any, to the Panchayat if the work is not properly carried on;

(e) call for any return, statement, account or report from any Panchayat.

115 V. *Powers and duties of the Chairperson.*— The Chairperson of the Taluka Panchayat shall,—

(a) convene, preside and conduct meetings of the Taluka Panchayat;

(b) discharge all duties imposed and exercise all the powers conferred on him by or under this Act or perform such functions entrusted to him by the Government from time to time;

(c) exercise administrative supervision and control over the acts of the Block Development Officer, other Officers and

staff of the Taluka Panchayat for securing implementation of resolutions or decisions of the Taluka Panchayat or of the Standing Committees which are not inconsistent with the provisions of this Act or rules or any general or specific directions issued under this Act;

(d) exercise overall supervision over the financial and executive administration of the Taluka Panchayat and place before the Taluka Panchayat all questions connected therewith which shall appear to him to require its orders and for this purpose may call for records of the Taluka Panchayat;

(e) have power to accord sanction upto a total sum of Rs. 5,000/- in each case for meeting the unforeseen expenditure provided that the Chairperson shall place at the next meeting of the Taluka Panchayat for its ratification, the details of such sanctions.

115 W. *Powers and duties of the Vice-Chairperson.*— The Vice-Chairperson of the Taluka Panchayat shall,—

(a) exercise the powers and perform the functions of the Chairperson when he is absent on leave or incapacitated from functioning; and

(b) in the absence of the Chairperson, preside over the meetings of the Taluka Panchayat.

115 X. *Power of making contracts.* — (1) Every contract or agreement entered into on behalf of the Taluka Panchayat, shall be binding on the Taluka Panchayat only if the said contract or agreement is executed in accordance with the provisions of this section.

(2) The Member-Secretary shall execute contract or agreement on behalf of the Taluka Panchayat in respect of matters which he is empowered to carry out under the provisions of this Act. He may execute such contract or agreement on behalf of the Taluka Panchayat upto such amount of value of contract or agreement as may be specified by the Government from time to time. In the other cases, he shall execute a contract or Agreement only with the sanction of the Taluka Panchayat.

#### CHAPTER IV C

##### Staff of Taluka Panchayat

115 Y. *Staff of Taluka Panchayat.*— The Government may, by order, specify the staffing pattern and scales of pay of the Officers and other staff of the Taluka Panchayat.

115 Z. *Member-Secretary.*— The Block Development Officer of the respective Block-Taluka shall be the Ex-Officio Member-Secretary of the Taluka Panchayat and shall carry out the functions and duties as are assigned under the Act and Rules made thereunder.

115 Z-A. *Functions, powers and duties of the Member-Secretary.*— (1) Save as otherwise expressly provided by or under this Act, the Member-Secretary shall,—

(a) exercise all the powers specially imposed or conferred upon him by or under this Act or under any other law for the time being in force;

(b) lay down the duties of and supervise and control the officers and officials of, or holding office under the Taluka Panchayat in accordance with rules made by the Government;

(c) supervise and control the execution of all works of the Taluka Panchayat;

(d) take necessary measures for the speedy execution of all works and developmental Schemes of the Taluka Panchayat;

(e) have custody of all papers and documents connected with the proceedings of the meetings of the Taluka Panchayat and its Committees;

(f) draw and disburse moneys out of the Taluka Panchayat fund; and

(g) exercise such other powers and discharge such other functions as may be prescribed.

(2) The Member-Secretary shall attend every meeting of the Taluka Panchayat and any Committee thereof and take part in the discussion but shall not have the right to move any resolution or to vote. If, in the opinion of the Member-Secretary, any proposal before the Taluka Panchayat is violative of or inconsistent with the provisions of this Act or any other law or the rules or orders made thereunder, it shall be his duty to bring the same to the notice of the Taluka Panchayat.

(3) The Member-Secretary shall, within fifteen days from the date of the meeting of the Taluka Panchayat or of any of its Committees, submit to the Government every resolution of the Taluka Panchayat or any of its Committees which in his opinion is inconsistent with the provisions of this Act or any other law; and shall not implement such resolution otherwise than as decided by the Government.

(4) All Officers of the Taluka Panchayat shall assist the Member-Secretary in the performance of his duties:

115 Z-B. *Member-Secretary's right to requisition records, etc.*— (1) Every person in possession of moneys, accounts, records or other property pertaining to a Panchayat or Taluka Panchayat shall, on the requisition in writing of the Member-Secretary for this purpose, forthwith hand over such moneys or deliver up such accounts, records or other property to the Member-Secretary or the person authorised in the requisition to receive the same.

(2) Every person knowing where any moneys, accounts, records or other property appertaining to a Panchayat or Taluka Panchayat are concealed, shall be bound to give information of the same to the Member-Secretary.

(3) An appeal shall lie to the Director from an order of the Member-Secretary under this section.

#### CHAPTER IV-D

##### Financial Control and Audit

115 Z-C. *Application of certain sections relating to accounts and budget of the Taluka Panchayat.*— The provisions of sections 182, 183, 184, 185, 186, 187, 189, 190, 197 and 198 shall,

mutatis mutandis, apply in respect of financial matters of Taluka Panchayat, subject, however, that the expressions "Secretary", "Chief Executive Officer", "Block Development Officer", "Panchayat" or Zilla Panchayat", wherever they appear in those sections, shall be construed with reference to "Member-Secretary" and "Taluka Panchayat".

#### CHAPTER IV-E

##### Properties and Funds of Taluka Panchayats

115 Z-D. *Application of certain sections relating to properties and funds of the Taluka Panchayat.*— The provisions of sections 164, 165, 166, 167, 168, 169, 170, 171 and 172 shall apply, mutatis mutandis, in respect of Taluka Panchayat, subject, however, that the expressions "Panchayat" and "Zilla Panchayat", wherever they appear in those sections, shall be construed with reference to "Taluka Panchayat" and the expressions "Adhyaksha" and "Upadhyaksha", wherever they appear, shall be construed as "Chairperson" and "Vice-Chairperson" respectively.

#### CHAPTER IV-F

##### Inspection, Supervision, etc.

115 Z-E. *Application of certain sections relating to inspection, supervision, etc.*— The provisions of sections 173, 174, 175, 176, 177, 178, 179 and 180 contained in Chapter X shall, mutatis mutandis, apply to the Taluka Panchayat, subject, however, that the expressions "Panchayat" or "Zilla Panchayat", wherever they appear in those sections, shall be construed with reference to "Taluka Panchayat", and for the expression "Sarpanch or the Deputy Sarpanch", the expressions "Chairperson or Vice-Chairperson" shall be construed.

#### CHAPTER IV-G

##### Miscellaneous

115 Z-F. *Application of certain sections relating to miscellaneous matters to Taluka Panchayat.*— The provisions of sections 200, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 241, 242, 243, 244 and 246 shall apply, mutatis mutandis, in respect of matters relating to Taluka Panchayat, subject, however, that the expressions "Panchayat" or "Zilla Panchayat", wherever they appear, shall be construed as "Taluka Panchayat", the expressions "Chief Executive Officer" and "Secretary", wherever they appear, shall be construed as "Member-Secretary" and the expressions "Adhyaksha or Upadhyaksha", "Sarpanch or Deputy Sarpanch", wherever they appear, shall be construed as "Chairperson" or "Vice-Chairperson" of the Taluka Panchayat."

5. *Amendment of section 117.*— In section 117 of the principal Act, for clause (iv), the following shall be substituted, namely:—

"(IV) Chairperson of each Taluka Panchayat".

6. *Amendment of section 181.*— In section 181 of the principal Act,—

(1) in sub-section (1),—

(i) after the word "Panchayat" and before the words "and Zilla Panchayat", the expression "Taluka Panchayat" shall be inserted; and

(ii) for the expression "Schedule I and II", the expression "Schedules I, IA and II" shall be substituted;

(2) in sub-section (2),—

(i) after the words "the Panchayat" and before the words "or Zilla Panchayat", the words "or Taluka Panchayat" shall be inserted;

(ii) in proviso, after the words "the Panchayat" and before the words "or the Zilla Panchayat", the expression "Taluka Panchayat" shall be inserted.

7. *Amendment of section 199.*— In section 199 of the principal Act, in sub-section (1),—

(i) for the expression "Zilla Panchayats, Panchayats", the expression "Zilla Panchayats, Taluka Panchayats and Panchayats" shall be substituted;

(ii) in clause (a),—

(a) in sub-clause (i), for the expression "Zilla Panchayats and Panchayats", wherever it occurs, the expression "Zilla Panchayats, Taluka Panchayats and Panchayats" shall be substituted;

(b) in sub-clause (ii), for the words "Zilla Panchayats", the expression "Zilla Panchayats, Taluka Panchayats and Panchayats" shall be substituted;

(c) in sub-clause (iii), for the expression "Zilla Panchayat and Panchayat", the expression "Zilla Panchayat, Taluka Panchayat and Panchayat" shall be substituted;

(iii) in clauses (b) and (c), for the expression "Zilla Panchayats and Panchayats", the expression "Zilla Panchayats, Taluka Panchayats and Panchayats" shall be substituted.

8. *Amendment of section 241.*— In section 241 of the principal Act, for the expression "Schedules I, II and III", wherever they occur, the expressions "Schedules I, IA, II and III" shall be substituted.

9. *Insertion of new Schedule.*— After Schedule I appended to the principal Act, the following Schedule I A shall be inserted, namely:—

#### "SCHEDULE — I-A

##### Functions and Responsibilities of Taluka Panchayat

##### I. General functions:

Overall supervision over the developmental works undertaken by Village Panchayats in respect of the matters devolved under Schedule I, co-ordination and integration of development schemes at Taluka and preparing the plan for the development of the Taluka.

**II. Agriculture (including Agricultural Extension) and Horticulture:**

- (1) Promotion of measures to increase agricultural production and to popularise the use of improved agricultural practices.
- (2) Opening and maintenance of agricultural and horticultural farm and commercial farms.
- (3) Conducting agricultural fairs and exhibitions.

**III. Land improvement and soil conservation:**

Implementation of land improvement and soil conservation programmes entrusted by the Government/ Zilla Panchayat.

**IV. Minor Irrigation, Water Management and Watershed Development:**

- (1) Construction, renovation and maintenance of minor irrigation works.
- (2) Watershed development programmes.

**V. Animal Husbandry, Dairying and Poultry:**

- (1) Establishment and maintenance of Taluka and Village Veterinary Hospitals, first-aid centres and mobile Veterinary Dispensaries.
- (2) Improvement of breed of cattle, poultry and other livestock;
- (3) Promotion of dairy farming, poultry and piggery;
- (4) Prevention of epidemics and contagious diseases.

**VI. Fisheries:**

- (1) Development of fisheries in irrigation works vested in the Taluka Panchayat.
- (2) Implementation of fishermen's welfare programmes.

**VII. Khadi, Village and Cottage Industries:**

- (1) Promotion of rural and cottage industries.
- (2) Implementation of Schemes of State Boards and All India Boards and Commissions for development of rural and cottage industries.

**VIII. Small-Scale industries including Food Processing industries.**

Promotion of Small Scale Industries.

**IX. Rural Housing:**

Promotion of rural housing programmes.

**X. Drinking water:**

Promotion of drinking water and rural sanitation.

**XI. Minor forest products and Fuel and Fodder:**

- (1) Promotion of social and farm forestry, fuel plantation fodder development.
- (2) Management of minor forest produce of the forest raised community lands.
- (3) Development of waste lands.

**XII. Roads, Buildings, Bridges, Ferries, Waterways and other means of communication:**

- (1) Construction and maintenance of Taluka roads and culverts, causeways and bridges (excluding State Highways and Village roads) within the Taluka.
- (2) Construction of administrative and other buildings connected with the requirement of the Taluka Panchayat.

**XIII. Non-Conventional, Energy sources:**

Awareness programme for the promotion and development of non-conventional energy sources.

**XIV. Poverty Alleviation Programmes:**

Planning, supervision and monitoring the implementation of poverty alleviation programmes in the villages.

**XV. Education including primary schools:**

- (1) Promotion of educational activities in the Taluka including the establishment and maintenance of primary schools;
- (2) Establishment and maintenance of Ashram School and orphanages;
- (3) Survey and evaluation of educational activities;
- (4) Construction and maintenance of Secondary Schools.

**XVI. Technical Training and Vocational Education:**

- (1) Establishment and maintenance of rural artisan vocational training centres;
- (2) Encouraging and assisting rural Vocational Training centre.

**XVII. Adult and Non-formal Education:**

Implementation of programmes of adult literacy and non-formal education programme entrusted by Zilla Panchayat.

**XVIII. Markets and Fairs:**

Regulation of important fairs and festivals in the Taluka.

**XIX. Health and family Welfare:**

- (1) Management of rural sub-health centres and dispensaries excluding those under the management of the Government or any local authority;

- (2) Implementation of maternity and child health programmes;
- (3) Implementation of family welfare programmes;
- (4) Implementation of immunisation and vaccination programme.

**XX. Woman and Child Development:**

- (1) Promotion of programme relating to development of Women and Children;
- (2) Promotion of school health and nutrition programmes.

**XXI. Welfare of the weaker sections and in particular of handicapped and mentally retarded:**

Promotion of Social Welfare Programmes, including welfare of handicapped, mentally retarded and destitutes.

**XXII. Welfare of the weaker sections and in particular of the Scheduled Castes and Scheduled Tribes:**

- (1) Promotion of educational, economic, social, cultural and other interests of the Scheduled Castes, Scheduled Tribes and Backward Classes;
- (2) Protecting such Castes, Tribes and Classes from social injustice and all forms of exploitation;
- (3) Establishment and management of hostels for such Castes, Tribes and Classes.

**XXIII. Maintenance of community assets:**

- (1) Maintenance of community assets vested in it or transferred to it by the Government or any local authorities or organisations;
- (2) Assisting the Government in the preservation and maintenance of other community assets.

**XXIV. Cultural activities:—**

Promotion of social and cultural activities.

**XXV. Rural Electrification.**

**XXVI. Co-operation:**

Promotion of co-operative activities.

**XXVII. Libraries:**

Promotion of libraries.

**XXVIII. Such other functions as may be entrusted.”.**

10. *Amendment of Schedule II.*— For existing Schedule II appended to the principal Act, the following Schedule shall be substituted, namely:—

**“SCHEDULE—II**

**Functions and responsibilities of Zilla Panchayat**

**I. General functions:—**

Overall supervision, co-ordination and integration of

development schemes at District levels and preparing the plan for the development of the District.

**II. Agriculture (including Agricultural Extension) and Horticulture:—**

- (1) Establishment and maintenance of godown.
- (2) Management of agricultural and horticultural extensions and training centres.
- (3) Training of farmers.

**III. Land improvement and soil conservation:—**

Planning and implementation of land improvement and soil conservation programmes entrusted by the Government.

**IV. Minor Irrigation, Water Management and Watershed Development:—**

- (1) Providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the Zilla Panchayat.
- (2) Development of ground water resources.
- (3) Supervision over the minor irrigation works undertaken by Taluka Panchayat.

**V. Animal Husbandry, Dairying and Poultry:—**

- (1) Supervision over the Village Veterinary Hospitals, first-aid Centres and Mobile Veterinary dispensaries;
- (2) Training for farmers of dairy farming, Poultry and Piggery.

**VI. Fisheries:—**

- (1) Development of fisheries in irrigation works vested in the Zilla Panchayat;
- (2) Promotion of inland, brackish water and marine fish culture.

**VII. Khadi, Village and Cottage Industries:—**

- (1) Establishment and Management of Training-cum-Production Centre;
- (2) Organisation of marketing facilities for products of cottage and village industries.

**VIII. Small-Scale industries including Food Processing Industries:—**

Educating youth for establishment of Small-Scale Industries.

**IX. Rural Housing:—**

Guidance to the Taluka Panchayat for promotion of Rural Housing Programme.



**X. Drinking Water:—**

Guidance for promotion of drinking water and rural sanitation to Taluka Panchayat and Village Panchayat.

**XI. Minor forest produce and Fuel and Fodder:—**

Guidance for the management of minor forest produce of the forest raised community lands.

**XII. Roads, Buildings, Bridges, Ferries, Waterways and other means of communication:—**

(1) Construction and maintenance of District roads and culverts, causeways and bridges (excluding State Highways and Village roads);

(2) Construction of administrative and other buildings connected with the requirements of the Zilla Panchayat;

(3) Supervision over the works undertaken by Village Panchayat and Taluka Panchayat as regards the construction of roads.

**XIII. Non-Conventional, Energy sources:—**

Promotion and development of non-conventional energy sources.

**XIV. Poverty Alleviation Programmes:—**

Supervision over the implementation of poverty alleviation programmes in the Village Panchayat.

**XV. Education including primary schools:—**

(1) Promotion of educational activities in the District including the establishment and maintenance of Higher Secondary Schools;

(2) Establishment and maintenance of Ashram School and orphanages;

(3) Survey and evaluation of education activities;

(4) Construction and maintenance of Higher Secondary Schools.

**XVI. Technical training and vocational Education:—**

(1) Encouraging and assisting rural vocational training.

**XVII. Adult and Non-formal Education:—**

Supervision over the implementation of programmes of Adult Literacy and Non-formal Education Programme.

**XVIII. Health and Family Welfare:—**

(1) Management of hospitals and dispensaries excluding those under the management of Government or any local authority;

(2) Supervision over the implementation of maternity and Child Health Programme;

(3) Supervision over the implementation of family welfare programme;

(4) Supervision over the implementation of immunisation and vaccination programme.

**XIX. Woman and Child Development:—**

(1) Supervision over the promotion of programme relating to development of Women and Children;

(2) Supervision over the promotion of school health and nutrition programme;

(3) Supervision over the promotion of participation of voluntary organisations in Women and Child Development Programmes.

**XX. Welfare of the weaker sections and in particular of handicapped and mentally retarded:—**

Promotion of Social Welfare Programme, including Welfare of handicapped, mentally retarded and destitutes.

**XXI. Welfare of the weaker sections and in particular of the Scheduled Castes and Scheduled Tribes:—**

(1) Supervision and management of hostels in the District, distribution of grants, loans and subsidies to individuals and other Schemes for the welfare of Scheduled Castes, Scheduled Tribes and Backward Classes.

**XXII. Maintenance of Community assets:—**

Supervision and guidance over the community assets maintained by Taluka Panchayats and Panchayats.

**XXIII. Cultural activities:—**

Promotion of social and cultural activities.

**XXIV. Rural electrification:—**

Supervision over electrification by Taluka Panchayat and Village Panchayat.

**XXV. Libraries:—**

Supervision over the construction of libraries by Taluka Panchayat and Village Panchayat.

**XXVI. Such other functions as may be entrusted.”.**

Secretariat Annexe,  
Panaji.  
Dated: 24-9-1999.

ARCHANA ARORA,  
Secretary to the Government of Goa  
Law Department (Legal Affairs)

**Notification**

7-4-99/LA

The Goa Municipalities (Amendment) Act, 1999 (Goa Act 7 of 1999), which has been passed by the Legislative Assembly of Goa on 2-8-1999 and assented to by the Governor of Goa on 20-9-1999, is hereby published for general information of the public.

P. V. Kadneker, Joint Secretary (Law).

Panaji, 27th September, 1999.

**The Goa Municipalities (Amendment)  
Act, 1999**

(Goa Act No. 7 of 1999)

AN

ACT

[20-9-1999]

*further to amend the Goa Municipalities Act, 1968.*

Be it enacted by the Legislative Assembly of Goa in the Fiftieth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Municipalities (Amendment) Act, 1999.

(2) It shall come into force at once.

2. *Amendment of section 184F.*— For section 184F of the Goa Municipalities Act, 1968 (Act 7 of 1969) (hereinafter called the “principal Act”), the following shall be substituted, namely:—

“184F. *Preparation of development plan.*— Every Council shall prepare every year a development plan and submit it to the District Planning Committee constituted under section 239 of the Goa Panchayat Raj Act, 1994 (Act 14 of 1994).”.

3. *Omission of section 184G.*—Section 184G of the principal Act shall be omitted.

Secretariat Annexe,  
Panaji.

Dated: 27-9-1999.

ARCHANA ARORA  
Secretary to the Government of Goa  
Law Department (Legal Affairs)